

**BOARD OF NURSING  
MINUTES  
November 16, 2006**

- PRESENT:** Marilyn Kaufmann, Kathleen Sullivan, Gretchen Lowe, Julia Nelson, Evelyn Merriett, June Bahr, Terrie Garcia, Margaret Wood
- EXCUSED:** Peggy Heine
- STAFF PRESENT:** Kimberly Nania, Division Administrator of Board Services; Colleen Baird, Legal Counsel; Gina York, Bureau Assistant, and other DRL staff
- GUESTS:** Don Madeling, Herzing College; Julie Christofferson, Herzing College; Chuck Taylor, Herzing College; Jane Hopp, Carroll College; Karen Gorton, Carroll College; Jeff Renier, WANA; Adam Dasler, UW-Oshkosh; Greg Levenick, DHFS/BMHSAS; Deborah Powers, DHFS/BMHSAS; Judy Warmuth, WHA; Jeremy Levin, WI Medical Society; Michael Goldstone, Quality Addiction Management; Elizabeth Getter, Quality Addiction Management; Cindy Eflors, Quality Addiction Management

**CALL TO ORDER**

Marilyn Kaufmann called the meeting to order at 9:54 a.m. A quorum of eight members was present for today's meeting.

**APPROVAL OF AGENDA**

**Additions to the Agenda:**

- Open Session: Administrative Report – Add Approval of 2007 Meeting Dates
- Open Session: Under Presentation of Proposed Stipulations Received After the Mailing of the Agenda – Add names Donna Michelle Bork, RN and Susan Simonet, RN
- Closed Session: Under Deliberation of Monitoring Received After the Mailing of the Agenda – Add names Lois Boyd and Donald Ross
- Closed Session: Under Deliberation of Proposed Stipulations Received After the Mailing of the Agenda – Add names Donna Michelle Bork, RN and Susan Simonet, RN

**MOTION:** Gretchen Lowe moved, seconded by June Bahr, to approve the agenda of November 16, 2006 as amended. Motion carried unanimously.

## **APPROVAL OF MINUTES OF OCTOBER 12, 2006**

### **Amendments to the Minutes:**

None.

**MOTION:** Evelyn Merritt moved, seconded by Kathleen Sullivan, to approve the October 12, 2006 minutes as written. Motion carried unanimously.

## **ADMINISTRATIVE REPORT**

Kimberly Nania, Division Administrator of Board Services, shared with the Board that the Department is looking at posting the actual meeting recordings on the DRL Website. Board members can share any questions or concerns they may have to Dr. Nania. She also shared that the DRL Website format has been updated to be more user friendly. Dr. Nania is surveying Boards on what their thoughts are on doing meeting agendas electronically. This topic will be brought back to the Board for consideration at a future meeting. At today's meeting, Board members shared several concerns and emphasized that they are not in support of doing agenda packets electronically. Colleen Baird, Legal Counsel, provided an update regarding OPT-OUT and currently all of the briefing is finished and we are waiting for the response from the ALJ. Attorney Baird will continue to update the Board as relevant information becomes available.

## **PRESENTATION OF PROPOSED STIPULATIONS**

There were nine proposed stipulations before the Board at today's meeting. They were regarding the following individuals: Renee Blanchette, RN (05 NUR 189); Francine Hendersom, LPN (06 NUR 216); Wendy Riebe, RN (06 NUR 106); Lynn Schultz, RN (05 NUR 203); Sydney Smith, RN (04 NUR 213); Gary Tritt, RN (05 NUR 086); Teresa Asleson, RN (03 NUR 222); Rosalie Zahn, RN (03 NUR 026); Nicole Kutner, RN (05 NUR 022).

## **PRESENTATION OF PROPOSED STIPULATIONS RECEIVED AFTER THE MAILING OF THE AGENDA**

There were two proposed stipulations received after the mailing of the agenda before the Board at today's meeting regarding the following individuals: Donna Michelle Bork, RN and Susan Simonet, RN.

## **SUMMARY REPORTS ON PENDING COURT CASES, DISCIPLINARY CASES AND ADMINISTRATIVE RULES AND PRESS RELEASES**

The Board reviewed the summary reports with Colleen Baird, Legal Counsel, who was available to the Board for questions and clarification if needed.

## **UPDATE AND STATUS ON ALL PENDING LEGISLATION**

The Board received an update on that status of pending legislation at today's meeting.

## **DISCUSSION REGARDING THE WI ORGANIZATION OF NURSE EXECUTIVES SPRING CONFERENCE IN APRIL 2007**

Judy Warmuth, NHA, discussed with the Board the need for presenters at this conference and Marilyn Kaufmann, Kathleen Sullivan, and June Bahr will be contacts for Ms. Warmuth and work on this issue.

## **REPORT OF THE FACULTY SHORTAGE MEETING**

Marilyn Kaufmann reported that the group will be meeting on December 13, 2006 and she will present an update at the next Board meeting.

## **REPORT WI NURSING CENTER**

Marilyn Kaufmann reported that there is nothing significant to report at this time and will keep the Board abreast of any relevant issues.

## **REPORT OF EDUCATION AND LICENSURE COMMITTEE**

### **APPROVAL OF CARROLL COLLEGE BSN NURSING PROGRAM AND UPDATE ON NCLEX PASS RATE OF CARROLL COLLEGE**

The Committee reviewed the information provided by Carroll College at today's meeting and took the following action.

**MOTION:** Gretchen Lowe moved, seconded by Terrie Garcia, to approve Carroll College's plan for remediation of the NCLEX pass rates and request a report to be submitted in one year. Motion carried unanimously.

### **Board's Motion:**

**MOTION:** Kathleen Sullivan moved, seconded by Julia Nelson, to accept the Education and Licensing recommendation and approve Carroll College's plan for remediation of the NCLEX pass rates and request a report to be submitted in one year. Motion carried unanimously.

## **APPROVAL OF HERZING COLLEGE PN/ADN SECOND SEMESTER COURSES**

At today's meeting, the Committee reviewed the information provided by Herzing College and took the following action.

**MOTION:** Evelyn Merriett moved, seconded by Margaret Wood, approve with the following with stipulations: 1) to approve the second semester courses, 2)to approve the revised curriculum with increase in total credits for the PN and ADN programs, 3) to stipulate that any changes made to the approved program and curriculum must be clearly communicated to the Board, and 4) to request that the school continue to submit course outlines for approval before offering the courses, and submit evaluations after each course is completed by instructors teaching the course including any recommendations for change. Motion carried unanimously.

### **Board's Motion:**

**MOTION:** Evelyn Merriett moved, seconded by Margaret Wood, to accept the Education and Licensing recommendation to approve with the following with stipulations: 1) to approve the second semester courses, 2)to approve the revised curriculum with increase in total credits for the PN and ADN programs, 3) to stipulate that any changes made to the approved program and curriculum must be clearly communicated to the Board, and 4) to request that the school continue to submit course outlines for approval before offering the courses, and submit evaluations after each course is completed by instructors teaching the course including any recommendations for change. Motion carried unanimously.

## **DISTANCE EDUCATION POSITION PAPER**

The Committee reviewed the position paper regarding distance education and after some discussion took the following action.

**MOTION:** Evelyn Merriett moved, seconded by Margaret Wood, to approve the following changes to the position paper on distance learning: to insert "pre-licensure or undergraduate" into title and text. Language should state that these instructors must meet Board requirements for nursing instructors. The board requirements for instructors should not be listed in the paper Motion carried unanimously.

This revised document will be brought back to the Committee for final review and approval at the December 2006 meeting.

## **REVIEW AND CHALLENGE OF NCLEX**

The Committee reviewed and discussed the test review for those challenging the NCLEX exam. Upon conclusion of the discussion the following action was taken.

**MOTION:** Margaret Wood moved, seconded by Terrie Garcia, to cease to offer the option of NCLEX review to candidates. Motion carried unanimously.

### **Board's Motion:**

**MOTION:** Kathleen Sullivan moved, seconded by Terrie Garcia, to accept the Education and Licensing recommendation to cease to offer the option of NCLEX review to candidates. Motion carried unanimously.

## **ALTERNATE SITE APPROVAL PROCESS**

The Committee discussed the process and policy for the approval of alternate sites and felt this topic will need further discussion and requested it be placed on their next Committee meeting agenda.

## **REPORT OF PRACTICE COMMITTEE**

Kathleen Sullivan reported that there was a presentation by Cynthia Lindgren, DHFS, at today's meeting regarding the interpretation of N6 and methadone clinics. The Committee felt this topic should come before the full Board and requested it be posted on the full Board agenda as follows: Discussion and Information on the Role of LPN's and RN's in Methadone Clinics. Kimberly Nania, Division Administrator, will ensure it is place on the next meeting Board's agenda.

## **CONSULT WITH LEGAL COUNSEL**

The Board consulted with Colleen Baird, Legal Counsel, as necessary throughout today's meeting.

## **DISCUSS AND REVIEW PRACTICE QUESTIONS RECEIVED BY LEGAL COUNSEL**

Committee members each took a question(s) to review and some questions were distributed to Board members which are in their areas of expertise. Each will work with Colleen Baird in preparing responses and updates to the Board's practice questions on the DRL Website.

## **VISITOR COMMENTS**

Noted.

## **CONVENE TO CLOSED SESSION**

**MOTION:** Kathleen Sullivan moved, seconded by Terrie Garcia, to adjourn to closed session pursuant to Wisconsin State statutes 29.85(1)(a)(b)(f) and (g) for the purpose of conducting appearances, reviewing monitoring requests, requests for licensure, deliberate on stipulations, administrative warnings, proposed decisions and orders, consulting with Legal Counsel and Division of Enforcement case status reports. Motion carried by roll call vote: Marilyn Kaufmann-yes, Gretchen Lowe-yes, Margaret Wood-yes; Kathleen Sullivan-yes; Peggy Heine-yes; Julia Nelson-yes; and Evelyn Merriett-yes.

Open Session recessed at 10:44 a.m.

## **RECONVENE INTO OPEN SESSION**

**MOTION:** June Bahr moved, seconded by Julia Nelson, to reconvene into open session at 1:28 p.m. Motion carried unanimously.

## **VOTING ON ITEMS CONSIDERED OR DELIBERATED ON IN CLOSED SESSION, IF VOTING IS APPROPRIATE**

**MOTION:** Gretchen Lowe moved, seconded by June Bahr, to approve all decisions made in closed session. Motion carried unanimously.

## **IMPAIRED PROFESSIONALS PROGRAM (IPP)**

None.

## **APPLICATION REVIEWS**

### **APPEARANCES BEFORE THE BOARD GERALYN BYRNE**

(Postponed until the February 2007 Meeting per respondents request.)

**FRANK TAYLOR**

**MOTION:** June Bahr moved, seconded by Kathleen Sullivan, to grant full licensure to Frank Taylor. Motion carried unanimously.

**REQUESTS FOR REVIEW OF ADMINISTRATIVE WARNINGS  
M.V.V.**

(Appearance Postponed until the February 2007 Meeting per respondents request.)

**REQUESTS FOR REINSTATEMENT OF RN LICENSE WAIVING REFRESHER COURSES  
MARGARET M. SHELTON**

**MOTION:** June Bahr moved, seconded by Terrie Garcia, to deny the request for to waive the refresher course regarding Margaret Shelton, RN.  
Reason for Denial: Due to lack of current nursing knowledge.  
Motion carried unanimously.

**MONITORING**

**REQUESTS FOR FULL REINSTATEMENT OF LICENSURE**

**JUNE MERGET**

**MOTION:** Kathleen Sullivan moved, seconded by Gretchen Lowe, to grant full licensure to June Merget. Motion carried unanimously.

**ARLEN SEELow**

**MOTION:** Terrie Garcia moved, seconded by Julia Nelson, to grant full licensure to Arlen Seelow. Motion carried unanimously.

**JOAN TYPPo-REICH**

**MOTION:** Gretchen Lowe moved, seconded by Julia Nelson, to grant full licensure to Joan Typo-Reich. Motion carried unanimously.

**TERRY WEINERT**

**MOTION:** Margaret Wood moved, seconded by Gretchen Lowe, to grant full licensure to Terrie Weinert. Motion carried unanimously.

**RANDY PROCKNOW**

**MOTION:** June Bahr moved, seconded by Kathleen Sullivan, to deny full licensure but grant a three-month stay to Randy Procknow with a change in modifications to reduce urine screen to fourteen per year.  
Reason for Denial: Too early to request full licensure. Motion carried unanimously.

**REQUESTS FOR THREE MONTH STAY AND MODIFICATIONS**

**ELLEN LALUZERNE**

**MOTION:** June Bahr moved, seconded by Kathleen Sullivan, to grant a a three-month stay regarding Ellen Laluzerne and grant a change in modifications to reduce urine screens to twenty-six per year.  
Abstained - Gretchen Lowe. Motion carried.

**VICKI MCCAULLEY**

**MOTION:** June Bahr moved, seconded by Gretchen Lowe, to grant a three-month stay regarding Vicki McCaulley with a change in modifications to grant access and reduce therapy to one time per month but no change in urine screens. Abstained – Julia Nelson. Motion carried.

**DAWN MINESAL**

**MOTION:** June Bahr moved, seconded by Julia Nelson, to grant a three-month stay regarding Dawn Minesal with a change in modifications to reduce therapy to be determined by the therapist, reduce urine screens to forty-two per year but deny at reduction of AA meetings. Motion carried unanimously.



**REQUESTS FOR ABILITY TO RENEW**

**LINETTE LOBERG**

**MOTION:** June Bahr moved, seconded by Julia Nelson, to deny the ability to renew and request a current mental health assessment. Motion carried unanimously.

**DELIBERATION OF MONITORING RECEIVED AFTER MAILING OF AGENDA**

**LOIS BOYD**

**MOTION:** June Bahr moved, seconded by Gretchen Lowe, to deny a three-month stay regarding Lois Boyd and request she submit a hair specimen for her next drug screening test. Motion carried unanimously.

**DONALD ROSS**

**MOTION:** June Bahr moved, seconded by Julia Nelson, to grant a one-month stay regarding Donald Ross and require him to obtain a new alcohol assessment from a Board approved provider not in Phillips, WI nor within a thirty mile radius of Phillips, WI and request he submit a hair specimen for his next drug screening test. Motion carried unanimously.

**STIPULATIONS**

**RENEE BLANCHETTE, RN**

**MOTION:** Gretchen Lowe moved, seconded by Evelyn Merriett, to adopt the Findings of Fact, Conclusions of Law, Order, and Stipulation, regarding Renee Blanchette, RN. Motion carried unanimously.

**FRANCINE HENDERSOM, LPN**

**MOTION:** June Bahr moved, seconded by Julia Nelson, to adopt the Findings of Fact, Conclusions of Law, Order, and Stipulation, Regarding Francine Henderson, LPN. Motion carried unanimously.

**WENDY RIEBE, RN**

**MOTION:** June Bahr moved, seconded by Julia Nelson, to adopt the Findings of Fact, Conclusions of Law, Order, and Stipulation, regarding Wendy Riebe, RN. Motion carried unanimously.

**LYNN SCHULTZ, RN**

**MOTION:** June Bahr moved, seconded by Gretchen Lowe, to adopt the Findings of Fact, Conclusions of Law, Order, and Stipulation, regarding Lynn Schultz, RN. Motion carried unanimously.

**SYDNEY SMITH, RN**

**MOTION:** June Bahr moved, seconded by Julia Nelson, to adopt the Findings of Fact, Conclusions of Law, Order, and Stipulation, regarding Sydney Smith, RN. Motion carried unanimously.

**GARY TRITT, RN**

**MOTION:** Evelyn Merritt moved, seconded by Julia Nelson, to adopt the Findings of Fact, Conclusions of Law, Order, and Stipulation, regarding Gary Tritt, RN. Motion carried unanimously.

**TERESA ASLESON, RN**

**MOTION:** June Bahr moved, seconded by Evelyn Merriett, to adopt the Findings of Fact, Conclusions of Law, Order, and Stipulation, regarding Teresa Asleson, RN. Motion carried unanimously.

**ROSALIE ZAHN, RN**

**MOTION:** Julia Nelson moved, seconded by June Bahr, to adopt the Findings of Fact, Conclusions of Law, Order, and Stipulation, Regarding Rosalie Zahn, RN. Motion carried unanimously.

**NICOLE KUTNER, RN**

**MOTION:** June Bahr moved, seconded by Gretchen Lowe, to adopt the Findings of Fact, Conclusions of Law, Order, and Stipulation, regarding Nicole Kutner, RN. Motion carried unanimously.

**DELIBERATION OF PROPOSED STIPULATIONS RECEIVED AFTER MAILING OF AGENDA**

**DONNA MICHELLE BORK, RN**

**MOTION:** Gretchen Lowe moved, seconded by Julia Nelson, to adopt the Findings of Fact, Conclusions of Law, Order, and Stipulation, regarding Donna Michelle Bork, RN. Motion carried unanimously.

**SUSAN SIMONET, RN**

**MOTION:** Gretchen Lowe moved, seconded by Julia Nelson, to adopt the Findings of Fact, Conclusions of Law, Order, and Stipulation, regarding Susan Simonet, RN. Motion carried unanimously.

**DELIBERATION OF ADMINISTRATIVE WARNINGS RECEIVED AFTER MAILING OF AGENDA**

None.

**DELIBERATION OF PROPOSED FINAL DECISIONS AND ORDERS IN THE MATTER OF DISCIPLINARY PROCEEDINGS RECEIVED AFTER THE MAILING OF THE AGENDA**

None.

**DELIBERATION OF ORDER FIXING COSTS THAT MAY BE RECEIVED AFTER THE MAILING OF THE AGENDA**

None.

**DELIBERATION OF PETITIONS FOR REHEARINGS THAT MAY BE SIGNED AFTER MAILING OF AGENDA**

None.

## **DIVISION OF ENFORCEMENT CASE STATUS REPORT**

- MOTION:** Gretchen Lowe moved, seconded June Bahr, to close case 03 NUR 132 for insufficient evidence. Motion carried unanimously.
- MOTION:** June Bahr moved, seconded by Julia Nelson, to close case 05 NUR 388 for insufficient evidence. Motion carried unanimously.
- MOTION:** Gretchen Lowe moved, seconded June Bahr, to close case 06 NUR 312 for P1. Motion carried unanimously.
- MOTION:** June Bahr moved, seconded Margaret Wood, to close case 04 NUR 116 for insufficient evidence. Motion carried unanimously.
- MOTION:** Evelyn Merritt moved, seconded Julia Nelson, to close case 04 NUR 151 for P5, with a Flag on the credentialing system. Motion carried unanimously.

## **OTHER BOARD BUSINESS**

Noted.

## **ADJOURNMENT**

- MOTION:** Julia Nelson moved, seconded by Gretchen Lowe, to adjourn the meeting at 1:34 p.m. Motion carried unanimously.